



CITY OF HOUSTON

Information Technology Department
Direct Inquiries to www.houstontx.gov/it/wirelessrfp.html

Bill White

Mayor

Clarification - Revision Letter No. 1

April 18, 2006

Request for Proposal (RFP) Wireless Broadband Network Financing & Management Services for The City of Houston

City of Houston response to RFP questions submitted by Tuesday, April 11, 2006

To ALL Respondents:

For the benefit of all prospective Proposers provided below are the City of Houston's responses to all questions submitted by April 11, 2006.

1. Question / Comment:

Sections B.7(b) and B.7(c) seem to exclude backhaul using non-wireless technologies.

Answer:

Section B.7(b) was revised prior to issuance of the final RFP to clarify that non-wireless technologies may be used by stating in the revision "Other technologies (wired or wireless) may be proposed for this Backhaul Tier if they are demonstrated to be more suitable and/or cost effective, however the 'wireless T-1 alternative' requirement defined in Section B.5(f) must still be met."

2. Question /Comment:

Section B.2(b) attempts to define minimum requirements by requiring specific technology (802.11 b/g).

Answer:

Section B.2 (b) was revised prior to issuance of the final RFP to clarify that yes, 802.11b/g support for the Access Tier of the Network is a Requirement.

3. Question / Comment:

Will there be any considerations to engage minority owned firms, allowing an equal footing and level of participation?

Answer:

Section 1.9 was revised prior to issuance of the final RFP and defines specific goals for Minority, Women, Disadvantaged Business Enterprise participation. The Requirement for this participation is defined in Section 1.9 and compliance with the Requirement will be evaluated on a "pass/fail" basis.

4. Question /Comment:

The City's goal to retain the "capture portal" rights appears to violate the Internet Tax Nondiscrimination Act in effect until November 1, 2007.

Answer:

It is not the City's intent to own or manage the Capture Portal infrastructure. It is the City's intent to identify through this RFP process the commercial value of the Capture Portal to ensure that there is fair benefit between the City and its private partner in this venture.

5. Question / Comment:

Regarding the indoor coverage Requirement defined in Section B.2(c), you may inadvertently render current commercial businesses' Wi-Fi networks unusable and create some health and safety hazards.

Answer:

The City contemplates that any unlicensed wireless technology deployed in the Network will adhere to all Federal Communications Commission (FCC) Part 15 rules, which regulate unlicensed transmissions for WI-Fi and other services. Regarding health and safety risks, the Telecommunications Act of 1996 contained provisions relating to federal jurisdiction to regulate human exposure to RF emissions from certain transmitting devices. In particular, Section 704 of the Act states that, "No State or local government or instrumentality thereof may regulate the placement, construction, and modification of personal wireless service facilities on the basis of the environmental effects of radio frequency emissions to the extent that such facilities comply with the Commission's regulations concerning such emissions." The City contemplates that all wireless technologies deployed in the Network will comply with relevant regulations.

6. Question / Comment:

What is the City of Houston stance on the security of a Wi Fi network?

Answer:

Section B.9 was revised prior to issuance of the final RFP to define the City's Requirements for multi-layered security protocols and methods.

7. Question / Comment:

The RFP states that there are 400 City- owned buildings and 18 communications towers. How many of these have fiber optics run to them that could be used as access to a backhaul network?

Answer:

For various reasons, proposers should assume when developing their proposals that no City-owned optical fiber is available at these facilities for use in backhaul or other functions.

8. Question:

Are K-12 schools included as City facilities? If yes, do any of them have fiber optics run to them? If yes, can any of them be used as access to a backhaul network?

Answer:

No. In Texas, Independent School Districts (ISDs) are separate political subdivisions. ISD's may be involved in Community Programs described in B.11

9. Question / Comment:

Can you provide an estimate of the square footage of all Indoor facilities that would require wireless coverage?

Answer:

The City contemplates that all network facilities deployed by the winning Proposer will be deployed on outdoor mounting assets and assumes no wireless equipment will be deployed within private facilities. The City has requested Proposers to elaborate on creative approaches to address the indoor coverage requirements in Sections B.2(c), B.2(d) and B.2(e).

It should be noted that the RFP states "the City desires an expedited deployment strategy and plan in order to realize the benefits of the initiative. Proposers should provide a strategic outline for deployment with a high level plan...over a proposed period." Concerns about the City's coverage requirement should be addressed in this section (i.e. 3.5 Deployment - page15). It should also be noted that the Deployment Strategy and Plan are one of five evaluation criteria

10. Question / Comment:

The RFP states that there are 20 miles of dark fiber. Should we provide a design for an optical network for backhaul purposes, or assume that one is already in place or in progress?

Answer:

The Requirements in Section B.7(b) and B.7(c) state that optical fiber may be used as an alternative to wireless technology Backhaul and Distribution Tiers of the Network if they are demonstrated to be more suitable and/or cost-effective.

11. Question / Comment:

Please clarify what is meant by "the City will retain the right(s) to the Capture Portal in terms of both revenue... and (portal) management. Are these to be interpreted as rights of ownership, approval, review, and/or disclosure, or some combination?

Answer:

It is not the City's intent to own or manage the Capture Portal infrastructure. It is the City's intent to identify through this RFP process the commercial value of the Capture Portal to ensure that there is fair benefit between the city and its private partner in this venture.

12. Question / Comment:

If of ownership [of the Capture Portal] and/or approval, how does the City intend to initially "acquire" those rights it thereafter intends to "retain"?

Answer:

See answer to 11.

13. Question / Comment:

Is it fair to assume that Houston may accept a network providing perhaps "much less than 95/90 coverage" in exchange for "affordable services"?

Answer:

The City's Coverage Requirements are defined in Section B.2 of the RFP and Evaluation Criteria are defined in Section 4.

It should be noted that the RFP states "the City desires an expedited deployment strategy and plan in order to realize the benefits of the initiative. Proposers should provide a strategic outline for deployment with a high level plan over a proposed period." Concerns about the City's coverage requirement should be addressed in this section (i.e. 3.5 Deployment page - 15). It should also be noted that the Deployment Strategy and Plan are one of five evaluation criteria.

14. Question / Comment:

Should section 4.1 "Value to the Community" be amended to incorporate an appropriately ranked mention of "universal coverage" in addition the existing references to rates, finances and community programs?

Answer:

There are five evaluation criteria in the RFP, with universal coverage as a policy goal. The value to the community and deployment strategy and plan ratings will properly address this policy goal.

15. Question / Comment:

Section 2.1 includes expanding the Network's use beyond parking meters - to include work-order management for field personnel, automated traffic signaling and other municipal applications to better serve the public. Will the City clarify its request to have "automated traffic signaling" made possible by the network?

Answer:

In addition to the Public Service usage defined on page 25, there is also a reference to over 2,000 traffic signals that may be used as mounting platforms, see page 11. The City contemplates connecting these signals to Transtar, the regional traffic agency, using this network.

16. Question / Comment:

The RFP states that “the City and other entities will grant rights to street and/or utility-poles, rooftops, electricity and other assets on a competitively-neutral and non-discriminatory basis to the winning Proposer.” Noting the “competitively-neutral and non-discriminatory basis” clause, does the City intend to secure the capability to distribute utility mounting asset rights and electricity distribution rights to multiple entities?

Answer:

At this time, the City only contemplates one winning proposal.

17. Question / Comment:

Does the City anticipate that its rights to utility mounting assets and electricity will be available at rates that would be competitive with the rates secured by entities negotiating directly with the utility?

Answer:

Yes.

18. Question / Comment:

Will the successful bidder contract with the City or the Utility for use of the street lights owned by the local electric utility?

Answer:

The City will contract with the Utility for the mounting rights for communications equipment.

19. Question / Comment:

What pricing or payment models have been contemplated by the City for mounting assets and electricity?

Answer:

The City anticipates the winning Proposer will purchase electrical service under the applicable electric service tariff. The City will use its best efforts to negotiate with the electricity provider for the most favorable rates. With regard to mounting platforms, the City contemplates reasonable and fair compensation for the use of these assets. The method of compensation will be determined in a future phase of the evaluation/negotiation process.

20. Question:

Are in-kind exchanges contemplated for mounting assets and electricity?

Answer:

See answer to 19.

21. Question:

What restrictions or constraints should be noted regarding the City and utility mounting assets, such as decorative light restrictions, location of assets required to provide 95% outdoor

coverage (such as sparsely populated areas or private campuses) or availability of electricity to assets 24 hours per day?

Answer:

An inventory of City and utility assets at this level of detail has not been completed. The City contemplates working with the winning Proposer to identify creative solutions in areas where mounting assets and/or electricity may not be available.

22. Question/ Comment:

Will the successful bidder be entitled to install the system throughout the City, or are there any geographic limitations for the system?

Answer:

Notwithstanding the above areas referenced where mounting assets and electricity may not be available, the winning Proposer will be entitled and required to install the system throughout the City.

23. Question / Comment:

Are there restrictions or procedures required for installation and maintenance of Wi-Fi equipment on the mounting assets, including employees and contractors that perform the services?

Answer:

Any restrictions on equipment installation will be addressed as part of the contract negotiation process.

24. Question:

Section 2.4 states that “details of the assets referenced above will be provided to prospective Proposers upon request following the release of the RFP. These details will be provided as addenda to the RFP and will be made available at <http://www.houstontx.gov/it/wirelessrfp.html>.” Does the City plan to provide details on the City-owned communications towers and fiber and the utility-owned street light and/or utility poles?

Answer:

Details of the assets referenced above will be provided to a short list of vendors identified in the second phase of evaluation under a non-disclosure agreement.

25. Question Comment:

Given that the Capture Portal system is typically tightly integrated into municipal network operational support systems, including provisioning, authentication and billing and dynamic content delivery systems, including content delivery systems potentially used to address the Community Technology Programs outlined in Section B.11, would it be possible to share more on the City’s vision for the Capture Portal and its anticipated impact to the users of the network?

Answer:

It is not the City’s intent to own or manage the Capture Portal infrastructure. It is the City’s

intent to identify through this RFP process the commercial value of the Capture Portal to ensure that there is fair benefit between the City and its private partner in this venture.

26. Question:

What commercial and public value does the City assign to the rights to operate the Capture Portal system on the network?

Answer:

The City does not know the value of the Capture Portal. It is not the City's intent to own or manage the Capture Portal infrastructure. It is the City's intent to identify through this RFP process the commercial value of the Capture Portal to ensure that there is fair benefit between the City and its private partner in this venture. The City does assume that the Capture Portal may provide certain value to the public through providing civic and neighborhood-specific content, advertising opportunities for small businesses, etc.

27. Question:

Section B.5(d) states that "The Network shall provide free public access in City-designated areas surrounding convention centers, libraries, parks and other public spaces, not to exceed 5% of the geographic coverage area of the Network. Additional detail on City-designated spaces will be provided in the FINAL RFP. Has additional detail on City-designated spaces been provided?

Answer:

Proposers should assume when developing their proposals an obligation to provide free public access in 5% of the City designated areas surrounding convention centers, libraries, parks and other public spaces. The City is in the process of finalizing the list of designated free public access areas and will make this information available as it is completed. The designated sites for Parks have been identified and added to the RFP as Exhibit H. The designated park locations have also been posted at <http://www.houstontx.gov/it/wirelessrfp.html>.

28. Question:

If so would it be possible to provide the location of the information?

Answer:

See answer to 27.

29. Is any license or registration with the City or State authorities required in order to submit a response to the RFP, or to execute?

Answer:

Proposal submittal requirements are described in Sections 1.8, 1.9, 1.10 and 1.11 of the RFP. In addition, corresponding forms requiring completion are provided for in Exhibits E, F and G.

30. What other political subdivisions and state agencies does the City anticipate extending its rights to under any resulting contract?

Answer:

The City may extend its rights to any city, county or state agency desirous of participating and willing to use its property and electric utility rights as mounting platforms. Section B.1, page 21 of the RFP states the following “ The City may desire to extend its rights under any resulting contract to other political subdivisions and state agencies within the Houston PMSA – with the same or similar terms and conditions. This may result in the winning Proposer having the right, but not the obligation, to perform the financing and management of similar networks in other communities throughout the region.

When issued, Letters of Clarification – Revision shall automatically become a part of the RFP and shall supersede any previous specifications or provisions stated in the RFP or at the pre- proposal conference. It is the responsibility of the Respondents to ensure that they have obtained all such letters. By submitting a proposal on this project, Respondent shall be deemed to have received all Letters of Clarification – Revisions and to have incorporated them into their proposals.

Janis Jefferson, Deputy Director
Information Technology Department
& Digital Houston, Project Administrator
<http://www.houstontx.gov/it/wirelessrfp.html>